IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 4549 of 2000

For Approval and Signature:

Hon'ble MR.JUSTICE M.S.SHAH

==========

1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

RAMESH PURI GURU RAMAN PURI

Versus

STATE OF GUJARAT

Appearance:

MS LILU K BHAYA for Petitioner

GOVERNMENT PLEADER for Respondent No. 1

RULE SERVED BY DS for Respondent No. 2

MR YS MANKAD for Respondent No. 3

MR SURESH M SHAH for Respondent No. 6

CORAM : MR.JUSTICE M.S.SHAH

Date of decision: 08/08/2000

ORAL JUDGEMENT

What is challenged in this petition is the order, dated 3.2.2000 passed by the Collector, Kutch-Bhuj appointing respondent No.6 as pujari of Koteshwar temple. It appears that in the past various proceedings have been instituted but in view of the course that this court proposes to adopt it is not necessary to refer to all those proceedings. Of course, the learned Counsel for the petitioner submitts that in view of the outcome of those proceedings respondent No.6 should not have been appointed as a pujari. This court does not express any opinion either way.

2. In the facts and circumstances of the case and more particularly in view of the fact that in the past also the Collector had adopted the practice of issuing public advertisement for inviting applications for appointment of pujari for Koteshwar temple and considering the fact that the appointment of respondent No.6 as per impugned order is only upto 31.12.2000, this petition is disposed of with a direction to the Collector, Kutch-Bhuj to issue public advertisement inviting applications for the post of pujari for Koteshwar temple latest by 30.11.2000 so that the Collector can make final selection and issue appointment order before 31.12.2000.

3. The petition is accordingly disposed of in terms of aforesaid direction. Rule is made absolute to the aforesaid extent only. There shall be no order as to costs.

8.8.2000 (M.S.SHAH,J)